



RECEIPT  
Patent  
Attorney Docket No. 047542/0197

#13/CFR

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FEB 13 2001  
3/3/02

TECH CENTER 1600/2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William G. Hubbard and Timothy R. Devine

Serial No.: 09/626,326

Filed: July 26, 2000

Group: 1653

For: TISSUE AUGMENTATION MATERIAL AND METHOD

Assistant Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

NOVEMBER 22, 2000  
Date

JORIE JOHNSON  
Name

Jorie Johnson  
Signature

**REQUEST FOR CORRECTED FILING RECEIPT**

Dear Sir:

Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested. The following items should be corrected:

Error in:

Claim of Priority

Correct data:

This application is a conversion from Provisional Application No. 60/148,590, filed August 13, 1999. This application is also a continuation-in-part of Application No. 09/288,999 filed August 4, 1998, which is a continuation of Application No. 08/538,444 filed on October 3, 1995 and issued on July 13, 1999 as U.S. Patent No. 5,922,025, which is a division of Application No. 08/159,071 filed November 29, 1993, which is a file wrapper continuation of Application No. 07/999,411 filed January 21, 1993, abandoned, which is a continuation-in-part of Application

No. 07/833,874, filed February 11,  
1992, abandoned.—

A copy of the application transmittal showing the Claim of Priority based upon the provisional application is enclosed for your reference.

It is believed that no fee is due at this time. However, if any fee is due, please deduct the amount from Deposit Account No. 06-1450 of Foley & Lardner.

Foley & Lardner  
330 North Wabash Avenue  
Suite 3300  
Chicago, Illinois 60611-3608  
(312) 755-2578  
November 21, 2000

Respectfully submitted,  
  
Marshall J. Brown  
Reg. No. 44,566



Attorney Docket No. 047542/0197

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FEB 13 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ~~TECH CENTER 1600/2000~~

Inventor(s): William G. Hubbard et al.  
Title: Tissue Augmentation Material and Method  
Serial No: Not yet assigned  
Filed: Herewith

"Express Mail" Mailing Label  
No. EL267355607US  
Date of Deposit July 26, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Christie S. Hubbard  
Signature

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

## UTILITY PATENT APPLICATION TRANSMITTAL

*New nonprovisional application under 37 CFR 1.53(b)*

1.  Fee Transmittal Form (*Submit an original, and a duplicate for fee processing*)
2.  Specification [Total Pages 51]
3.  Drawing(s) (35 USC 113) [Total Pages 3] informal
4.  Oath or Declaration [Total Pages 3]
  - a.  Newly executed (*original or copy*)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
*[Note Box 5 below]*
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).
  5.  Incorporation By Reference (*useable if Box 4b is checked*). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
  6.  Microfiche Computer Program (*Appendix*) *Hard Copy Only*

7.  Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*

a.  Computer Readable Copy

b.  Paper Copy (identical to computer copy)

c.  Statement verifying identity of above copies

## **DOCUMENTS ACCOMPANYING APPLICATION PARTS**

8.  Assignment Papers

9.  37 CFR 3.73(b) Statement  
*(when there is an assignee)*  Power of Attorney

10.  English Translation Document *(if applicable)*

11.  Information Disclosure Statement (IDS)/PTO-1449  Copy of IDS Citation

12.  Preliminary Amendment

13.  Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*

14.  Small Entity Statement(s)  Statement filed in prior application,  
status still proper and desired.

15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16.  Other: .....

17. If a CONTINUING APPLICATION, check the appropriate box and supply the requisite information.

Continuation     Divisional     Continuation-in-part (CIP)    ...of prior application No.: /

## 18. Correspondence Address

NAME: Michael D Rechtin

ADDRESS: Foley & Gardner

Poly & Barket  
Suite 3300

330 Nor

STATE: Illinois

ZIP CODE: 60611-3600

Chic

*STATE:* Illinois

CODE: 60611-3608

19. The filing fee has been calculated as shown below

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	56 - 20 =	36	x \$18 =	\$ 648
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	5 - 3 =	2	x \$78 =	\$ 156
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$260 =	0
				BASIC FEE (37 CFR 1.16(a))	\$ 690
				Total of above Calculations =	\$1,494
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$ 747
				TOTAL =	\$ 747

20.  Small entity status:

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

21. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06-1450:

- a.  Any additional filing fees required under 37 CFR 1.16 for the application or any amendment thereto, once any check for fees submitted herewith has been taken into account
- b.  Fees required under 37 CFR 1.17

22.  A check payable to the Director of the United States Patent and Trademark Office in the amount of \$747.00 is enclosed to cover the filing fee. A separate check for \$40.00 is enclosed to cover the Assignment recordation fee.

23. Other: This application is a conversion from Provisional Application No. 60/148,590, filed August 13, 1999

24. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT (REQUIRED)

NAME:

Michael D. Rechtin

SIGNATURE:



REGISTRATION

30,128

DATE

July 25, 2000

*T. Jane Kerle*

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/626,326	07/26/2000	1653	747	047542/0197	3	56	5

Foley & Lardner  
 Suite 3300  
 330 North Wabash Avenue  
 Chicago, IL 60611-3608

## FILING RECEIPT



OC000000005412812\*

Date Mailed: 09/20/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

William G. Hubbard, Burlington, WI ;  
 Timothy R. Devine, Whitefish Bay, WI ;

## Continuing Data as Claimed by Applicant

## Foreign Applications

If Required, Foreign Filing License Granted 09/19/2000

## \*\* SMALL ENTITY \*\*

## Title

Tissue augmentation material and method

## Preliminary Class

530

Data entry by : GENTRY, CHRISTINE

Team : OIPE

Date: 09/20/2000





**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231